

APR 11 2003

PTO/SB/17 (10-02)  
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# FEE TRANSMITTAL

## for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**930.00**

### Complete if Known

Application Number **09/600,648**  
Filing Date **October 17, 2000**  
First Named Inventor **Shalaby W. Shalaby**  
Examiner Name **NAFF, David M.**  
Art Unit **1651**  
Attorney Docket No. **00537/165007**

### METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number  
Deposit Account Name

**50-0590**

**BIOMEASURE, INCORPORATED**

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	740	2001	370	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	510	2003	255	Plant filing fee	
1004	740	2004	370	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$)					

#### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid	
Total Claims	<input type="text"/>	-20** =	<input type="text"/>	X	<input type="text"/>	=	<input type="text"/>
Independent Claims	<input type="text"/>	-3** =	<input type="text"/>	X	<input type="text"/>	=	<input type="text"/>
Multiple Dependent					<input type="text"/>	=	<input type="text"/>

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)					

\*\*or number previously paid, if greater; For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	400	2252	200	Extension for reply within second month	
1253	920	2253	460	Extension for reply within third month	
1254	1,440	2254	720	Extension for reply within fourth month	
1255	1,960	2255	980	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,280	2453	640	Petition to revive - unintentional	
1501	1,280	2501	640	Utility issue fee (or reissue)	
1502	460	2502	230	Design issue fee	
1503	620	2503	310	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	740	2809	370	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	740	2810	370	For each additional invention to be examined (37 CFR 1.129(b))	
1801	740	2801	370	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**930.00**

### SUBMITTED BY

Name (Print/Type) **Alan F. Feeney** Registration No. **43,609** Telephone **508/478-0144**  
Signature *Alan F. Feeney* Date **3-31-2003**

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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PATENT

ATTORNEY DOCKET NO. 00537/165002 - 068/US/PCT/US

Certificate of Mailing: Date of Deposit: 3-31-2003

I hereby certify under 37 C.F.R. 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Alan F. Feeney

Printed name of person mailing correspondence

Alan F. Feeney  
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Shalaby W. Shalaby

Art Unit: 1651

Serial No.: 09/600,648

Examiner: NAFF, David M.

Filed: October 17, 2000

Title: ABSORBABLE MICROPARTICLES

TRANSMITTAL LETTER AND AUTHORIZATION TO PAY FEE

Transmitted herewith is Applicant's 37 CFR §1.111 Reply to the October 2, 2002 Office Action with a Certificate of Mailing noted thereon; copies of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures attached to the aforementioned Office Action, a printout from the U.S.P.T.O. website for the Results of Search in 1975 to present U.S.P.T.O. Patent database for: SPEC/"heterochain polymer", and a printout of the online version for the IUPAC Compendium of Chemical Terminology database search results for: "heterochain polymer" with a Certificate of Mailing; a Petition for Extension of Time with a Certificate of Mailing noted thereon; and Fee authorization (2 copies), together with an Acknowledgment postcard.

The Commissioner is hereby authorized to charge the fee due under 37 CFR 1.136(a) for the Requested Three (3) Month Extension to Deposit Account No. 50-0590. Applicant believes that no other fees are due. However, the Commissioner is hereby authorized to charge any other fees that may be deemed to be due or to credit any overpayments to Deposit Account 50-0590. A duplicate copy of this letter is transmitted herewith.

Respectfully submitted,

Date: 3-31-2003

Biomeasure, Inc.

27 Maple Street

Milford, MA 01757-3650

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Alan F. Feeney

Attorney for Applicant(s)

Reg. No. 43,609



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#18  
Dmt  
4503

PATENT  
Attorney Docket No. 00537/165002  
068/US/PCT/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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IN RE APPLICATION OF:

**SHALABY W. SHALABY**

APPLICATION NO.: **09/600,648**

FILED: **October 17, 2000**

FOR: **ABSORBABLE MICROPARTICLES**  
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Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

EXAMINER: **NAFF, DAVID M.**

ART UNIT: **1651**

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.  
Date of Deposit: March 31, 2003

REPLY UNDER 37 C.F.R. §1.111

This is in reply to the Office Action mailed October 2, 2002 (Paper No. 15) ("instant Office Action"), the period for response thereto having been extended three months to expire on April 2, 2003 pursuant to the Petition for Extension of Time submitted herewith.

REMARKS

Reconsideration of the instant Office Action and withdrawal of the rejections of claims 1-46 are respectfully requested.

In the instant Office Action, Claims 1-46 are listed as pending and all are listed as rejected.

1. In response to the *Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures* appended to the instant Office